

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ELYSSA CORPORATION,  
ALAN B. SCHILSKY and  
LAWRENCE D. SCHILSKY,

Plaintiffs,

**-against-**

GLOBAL ENGINEERING SECURITY  
SYSTEMS, INC., JOHN DOES 1-10,  
JANE DOES 1-10 and XYZ CORPS. 1-10,

Defendants.

08 Civ. 2766 (KMK)

## CONSENT DECREE

WHEREAS, plaintiffs Elyssa Corporation, Alan B. Schilsky and Lawrence D. Schilsky (collectively, “Plaintiffs”) have brought an action against defendant Global Engineering Security Systems, Inc. claiming violations of the copyright, trademark and unfair competition laws of the United States and the statutory and common law of the State of New York; and,

WHEREAS, Plaintiffs and defendant Global Engineering Security Systems, Inc. desire to avoid further litigation; and

**WHEREFORE, it is hereby ordered, adjudged and decreed that:**

1. Plaintiffs and defendant Global Engineering Security Systems, Inc. consent to the entry of this Consent Decree.
2. Plaintiff Elyssa Corporation is the owner of the entire right, title and interest in and to, U.S. Copyright Registration No. TXu 1-571-517 for a computer driver

to accompany plaintiff Elyssa Corporation's products (the "Driver Copyright"), registered on February 13, 2008 and U.S. Copyright Registration No. TX 6-827-011 for an instruction manual to accompany plaintiff Elyssa Corporation's products (the "Manual Copyright"), also registered on February 13, 2008.

3. Plaintiffs Alan B. Schilsky and Lawrence D. Schilsky are the owners of the entire right, title and interest in and to, U.S. Trademark Registration No. 2786220 and U.S. Trademark Registration No. 2922177 which cover the marks DIGIVUE and X-VIEW, respectively, for use in commerce in connection with the production and sale of computer cards and software (the "Digivue Marks").

4. Defendant Global Engineering Security Systems, Inc. and its officers, agents, servants, employees, representatives, successors and assigns, and all persons and entities acting for, with, by, through, or under them, agree to refrain from infringing in any manner Plaintiffs' rights in the Driver Copyright or Manual Copyright and are permanently enjoined and restrained from manufacturing, displaying, selling or distributing drivers and instruction manuals which are identical or substantially similar to Plaintiffs' copyrighted driver and manual.

5. Defendant Global Engineering Security Systems, Inc. and its officers, agents, servants, employees, representatives, successors and assigns, and all persons and entities acting for, with, by, through, or under them, agree to refrain from infringing in any manner Plaintiffs' rights in the Digivue Marks and are permanently enjoined and restrained from placing the Digivue Marks on their goods or using or displaying the Digivue Marks to identify their goods.

6. Defendant Global Engineering Security Systems, Inc. shall allow Plaintiffs immediate access to any portion of its website that is accessible to the general public or any of its customers in order to confirm that it is complying with the terms of this Consent Decree and agrees to provide Plaintiffs with any and all passwords required to access those portions of its website, in their entirety, accessible to the general public or any of its customers.

7. This action is dismissed with prejudice and defendant Global Engineering Security Systems, Inc. shall have no further liability for any of its actions to the date of this Consent Decree which arguably infringed upon the Driver Copyright, Manual Copyright or Digivue Marks.

8. This Consent Decree constitutes a final judgment binding on all parties to this action.

9. Nothing herein shall prejudice Plaintiffs' rights against any other entity.

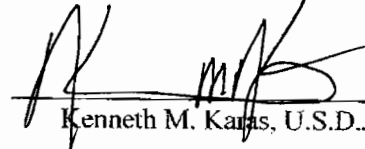
10. All parties are to bear their own costs, including attorney fees.

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11. This court shall retain jurisdiction for the purpose of enforcement of this  
Consent Decree.

Dated: New York, New York  
April 8, 2008

ENTER:

  
Kenneth M. Karas, U.S.D.J.

Approved:

EISEMAN LEVINE LEHRHAUPT  
& KAKOYIANNIS, P.C.

By: 

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